

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office OCT 09 1992

Returned to applicant for correction NOV 13 1992

Corrected application filed NOV 19 1992 Map filed NOV 19 1992

The applicant Garrett Van Diest, Inc.

P. O. Box 867 of Winnemucca

Nevada 89445 State and Zip Code No. City or Town

hereby make<sup>s</sup> application for permission to change the

Point of Diversion and Place of Use of a portion

of water heretofore appropriated under Permit No. 28597, Certificate No. 8608

Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.

1. The source of water is Underground  
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 766.76 AFA 1.7615 cfs  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Irrigation  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for Irrigation  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point in the NE $\frac{1}{4}$  NE $\frac{1}{4}$  Section 5, T.33N., R.38E.,  
Describe as being within a 40-acre subdivision of public survey and by course and  
M.D.B.&M., or at a point from which the NE corner of said Section 5 bears N.  
distance to a section corner. If on unsurveyed land, it should be stated.  
42<sup>0</sup> 56' E. a distance of 165 feet.

6. The existing permitted point of diversion is located within the SE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 3, T.34N.,  
If point of diversion is not changed, do not answer.  
R.37E., M.D.B.&M., or at a point from which the SE corner of said Section 3  
bears S. 63<sup>0</sup> 26' 06" E. a distance of 1456 feet.

7. Proposed place of use NE $\frac{1}{4}$  and N $\frac{1}{2}$  SE $\frac{1}{4}$  Section 5, T.33N., R.38E., M.D.B.&M.  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.  
(191.69 acres)

8. Existing place of use NE $\frac{1}{4}$  SW $\frac{1}{4}$  (40.00 Ac.), SE $\frac{1}{4}$  SE $\frac{1}{4}$  (39.78 Ac.), Portion of SE $\frac{1}{4}$  SW $\frac{1}{4}$   
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or  
(33.00 Ac.), NW $\frac{1}{4}$  SE $\frac{1}{4}$  (20.00 Ac.), NE $\frac{1}{4}$  SE $\frac{1}{4}$  (34.79 Ac.), and SW $\frac{1}{4}$  SE $\frac{1}{4}$  (24.12 Ac.),  
manner of use of irrigation permit, describe acreage to be removed from irrigation.  
Total of 191.69 Ac. All in Section 3 T34N R37E

9. Use will be from January 1 to December 31 of each year.  
Month and Day Month and Day

10. Use was permitted from January 1 to December 31 of each year.  
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) drilled well, sprinkler system

State manner in which water is to be diverted, i.e. diversion structure,  
ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works \$25,000.

13. Estimated time required to construct works 4 years

14. Estimated time required to complete the application of water to beneficial use..... 5 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

The amount of water (766.76 AFA) and the acreage (191.69 Ac.)

is the remaining right under certificate 8608.

By s/Ernest E. Muller  
Ernest E. Muller, Sr., SWRS 702  
750 W. Pueblo St.  
Reno, NV., 89509

Compared bc/bc pm/se

Protested.....

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 28597, Certificate 8608 is issued subject to the terms and conditions imposed in said Permit 28597, Certificate 8608 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.7615 cubic feet per second, but not to exceed 766.76 acre-feet annually and also not to exceed 4.0 acre-feet per acre of land irrigated from any/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before September 3, 1994

Proof of completion of work shall be filed before October 3, 1994

Application of water to beneficial use shall be made on or before September 3, 1995

Proof of the application of water to beneficial use shall be filed on or before October 3, 1995

Map in support of proof of beneficial use shall be filed on or before October 3, 1995

Completion of work filed.....

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.  
State Engineer of Nevada, have hereunto set my hand and the seal of my

Proof of beneficial use filed.....

office, this 3rd day of September

Cultural map filed.....

A.D. 19 93

Certificate No. .... Issued.....

*[Signature]*  
State Engineer

Abrogated By: 60497 0.1838, 60580 0.0184  
port. 62127 0.938